

HOUSE BILL 138

E2, P3

0lr1578

By: **Delegates Waldstreicher, Vallario, Anderson, Barnes, Carter, Conaway, Dumais, Dwyer, Frank, Jennings, Kelly, Kramer, Lee, Levi, McComas, McConkey, Ramirez, Rosenberg, Schuler, Simmons, Smigiel, and Valderrama**

Introduced and read first time: January 18, 2010

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Injuries Compensation Board – Right to Hearing**

3 FOR the purpose of providing that a claim filed with the Criminal Injuries
4 Compensation Board is subject to certain provisions of the Administrative
5 Procedure Act; providing that if a claimant requests a hearing after the Board
6 has issued proposed findings of fact, conclusions of law, or orders, the Board
7 shall hold a hearing before the Board issues final findings of fact, conclusions of
8 law, or orders; and generally relating to the Criminal Injuries Compensation
9 Board.

10 BY repealing and reenacting, with amendments,
11 Article – Criminal Procedure
12 Section 11–815
13 Annotated Code of Maryland
14 (2008 Replacement Volume and 2009 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Criminal Procedure**

18 11–815.

19 **(A) A CLAIM UNDER THIS SUBTITLE IS SUBJECT TO THE APPLICABLE**
20 **PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT.**

21 **(B) IF A CLAIMANT REQUESTS A HEARING AFTER THE BOARD HAS**
22 **ISSUED PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, OR ORDERS, THE**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **BOARD SHALL HOLD A HEARING IN ACCORDANCE WITH THE APPLICABLE**
2 **PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT BEFORE THE BOARD**
3 **ISSUES FINAL FINDINGS OF FACT, CONCLUSIONS OF LAW, OR ORDERS.**

4 (C) Within 30 days after the final decision of the Secretary, a claimant
5 aggrieved by that decision may appeal the decision under §§ 10–222 and 10–223 of the
6 State Government Article.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2010.